

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRANDON PANNELL

Plaintiff,

Case No. 08-11019

v.

Honorable John Corbett O'Meara

AARON SHEWSBURY, ROSANA HOOPER,
RAY CULLEN, DONALD FARAGO, KENNETH
MAY, MICHAEL LIVIDINI, STEVEN
SCHWEIN, CAMERON PRIEBE, in their
individual capacities and CITY OF TAYLOR,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiffs filed a six-count complaint in this court on March 10, 2008, alleging the following: false arrest/false imprisonment in Count I; and intentional infliction of emotional distress in Count II; gross negligence in Count III; "Violation of the United States Constitution Fourth Amendment, 42 U.S.C. § 1983" in Count IV; "City of Taylor's Constitutional Violations" in Count V; and slander per se in Count VI.

While the claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Counts I, II, III, and VI are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: April 10, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, April 10, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager